Chapter 3: Supplemental Analysis

In response to several comments regarding impacts on wildlife and wildlife habitat, the City conducted additional research to identify wildlife species utilizing the Town Center open space and pond areas. This research identified several mammals, amphibians, reptiles, and birds that have been observed in the project area and species that are likely to occur in the area. Appendix E includes the full list. No federal or state threatened or endangered species are known to use the area. However, the following protected species have been observed in Marymoor Park and may utilize the open space:

- Western Grebe (*Aechomophous occidentalis*):
  State Candidate Species
- Bald Eagle (*Haliaeetus leucocephalus*):
  Federal/State Threatened Species
- Peregrine Falcon (*Falco peregrinus*):
  Federal Species of Concern, State Sensitive Species
- Vaux's Swift (*Chaeture vauxi*):
  State Species of Concern (observed over open space ponds)
- Pileated Woodpecker (*Dryocopus pileatus*):
  State Species of Concern – unlikely to nest in project area trees

The Bear Creek Parkway Extension project is not anticipated to have an impact on any of these species. As discussed in the Draft SEIS, a complete tree inventory will be performed prior to construction. This inventory will include a nest survey to ensure no active nests are removed.

Since publication of the Draft SEIS in March 2004, Norman Wildlife Consulting (the City's wildlife consultant for the project) obtained updated information on the heron colony. Although heron nests were noted in 2004, eagle predation caused the colony to be abandoned. Some chicks appear to have hatched, but none were successful. Table 3.1 updates information presented in the Draft SEIS. New tags were placed on some trees in 2004.

In consultation with the Washington Department of Fish and Wildlife (WADFW) and the East Lake Washington Audubon Society, the City discussed several possible measures to mitigate the impacts of the preferred alternative on wildlife and wildlife habitat. The results of this meeting were presented to City Council and are included in Appendix B.

Table 3.1: Status of Heron Nests

Tag #	New Tag #	2004 Status	2003 Status	2002 Nest	Comments
3220		Active	No nest	No nest	3 unhatched, 1 unknown in 2004
3234		Active	No nest	No nest	
3243	99	Active	Active	Nest	1 hatched eggshell in 2004
3245	88	Nest	Active*		
3246	89	Nest	Active	No nest	
3249	98	No nest	No nest	Nest	At forest edge
3250	90	No nest			At forest edge
3253	97	Active	Nest*	No nest	2 unhatched in 2004
3269	86	Nest	Active	No nest	
3275	85	Active	Active	Nest	
3281	96	Active	Active	Nest	2 unhatched, 1 hatched in 2004
3310	93	No nest	No nest		
3313	92	No nest	No nest		
3316	87	Nest	Active*	Nest	
3317	91	No nest	No nest		
3330	95	Active	No nest		
3345		Nest	Active	No nest	
3348			Non-heron nest	Non-heron nest	
3607	100	Active	No nest	No nest	1 unknown eggshell in 2004
3622		Active (2)			5 unhatched eggshells in 2004
3625	84	Active	Not active	Nest	1 unhatched, 1 hatched in 2004
3627		Active	No nest	No nest	1 unhatched eggshell in 2004
3630	83	Active*	No nest		No eggshells in 2004
3631	82	Active*	Active	Nest	No eggshells in 2004
3639		No nest	Non-heron nest	No nest	
3650		No nest	No nest	Nest*	
3673		No nest	Not active	Nest	
	Total Nests	11+ Active Nests	8 Estimated	8 Estimated	
		19 Total Nests in 18 trees			

*Status unclear

Source: Norman Wildlife Consulting 2004

As documented in the Draft SEIS, Alternative 4 would remove several large trees at the southeast corner of Leary Way and 162nd Avenue NE. Alternative 4 is also within 50 feet of the last documented active heron nests (2003) – see Appendix B. The Audubon Society and the Washington Department of Fish and Wildlife (WADFW) suggested mitigation measures to offset these impacts. These included:

- Installing signs for boaters on Sammamish River to "respect wildlife" – areas to avoid, reducing noise, etc.
- Designing and siting new ponds to be attractive to wildlife and still conform to Department of Ecology stormwater treatment requirements. Potential pond design could include:
    - Shallower slopes
    - Encouragement of wetland habitat
    - Plantings of particular species
- Removing non-native species along Bear Creek and Sammamish River (e.g., blackberry) and replacing with native shoreline species to enhance wildlife habitat (e.g., ash, alder)
- Removing non-native species in the heron rookery parcel (e.g., English ivy, blackberry) in the near term before it becomes well established
- Adding new plantings to the heron rookery parcel to increase species diversity, with conifer plantings interspersed with mid-canopy trees
- Planting additional native flowering/fruiting shrub species along margins of forest as an aesthetic enhancement
- Adding new plantings in the forested area south of Leary Way, with brush and mid-story canopy deciduous trees to fill in this area's understory.

Another suggestion for increasing the distance between the roadway and the heron rookery was to shift the roadway alignment further north toward the BSNF railroad. This alignment, included in the *Downtown Transportation Master Plan* (DTMP) as "Option C" (see Appendix B), would increase the distance between the roadway and the rookery parcel, providing additional opportunity for buffer area. This alignment would utilize most of the former King County shop site.

One final suggestion for reducing potential disturbance to the herons would be to eliminate the sidewalk on the south side of Bear Creek Parkway where it is adjacent to the rookery parcel. Signage would be provided to direct pedestrians to the north side of the street in this vicinity. The Washington Department of Fish and Wildlife (WADFW) and the East Lake Washington Audubon Society both felt that it would be beneficial to reduce pedestrian and bicycle activity near the herons.

The City will work with the WADFW and the Audubon Society during the final design phase to develop a Wildlife Mitigation Plan that may include some of these measures.